

PORT OF HOODSPORT

NOTICE OF INTENT TO OBTAIN CUSTODY

20' Fiberglass stripped vessel Reg # SC 364 SW

In accordance with Revised Code of Washington (RCW) 79.100, the unnamed 20' foot stripped fiberglass vessel, orange in color, with Registration # SC364SW on front portion of vessel, found at the Port of Hoodsport dock sinking in the water, has been declared derelict as that term is defined in RCW 79.100.010(5). On December 1, 2009, the vessel was found stripped and sinking in Mason County at the Port of Hoodsport dock. On December 1, 2009, the Port of Hoodsport took full custody of that vessel, after pumping the water out in order to move it to dry land. The vessel was stored tied up to the beach at the Port of Hoodsport since that date. The vessel is not currently registered in any State.

The Port of Hoodsport, acting as an authorized public entity with the authority granted in RCW 79.100, intends to dispose of the vessel on **January 6, 2010**. The Port is authorized to dispose of it in any appropriate and environmentally sound manner as provided in RCW 79.100, without further notice to the owner. In order for the owner to retain custody of the vessel, before **January 6, 2010**, the owner must reimburse the Port for the costs associated with the vessel's salvage and storage, make arrangements for the vessel's storage or disposal, and actually follow through on those arrangements.

In order to challenge the Port's taking temporary possession, or the Port's decision to take custody on December 1, 2009, the owner must file a written request for a hearing with the Port of Hoodsport at PO Box 429, Hoodsport, WA 98548. The written request can be submitted immediately after receipt of this notice, which was placed on the vessel on December 1, 2009. However the owner cannot file any later than the thirtieth day after the custody date. The right to a hearing is deemed waived if a request is submitted late, and the owner is liable for any costs owned to the Port.

The costs the owner may be liable for include, but are not limited to, costs incurred by the Port while exercising the authority granted in RCW 79.100.030, all administrative costs incurred by the Port during the procedure set forth in RCW 79.100.040 and RCW 79.100.050, pumping costs, and removal and disposal costs. In the event of litigation, the prevailing party is entitled to reasonable attorneys' fees and costs. Also, the owner may be guilty of a misdemeanor for allowing a vessel to become abandoned or derelict on aquatic lands per RCW 79.100.110.

The Port of Hoodsport reserved the right to pursue any other remedies available under law. For more information regarding this action, contact the Director for the Port of Hoodsport at 360-877-9350 or email at portmail@hctc.com .